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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LUIS GAYTAN, *Plaintiff,* vs. **CITY OF BRAWLEY, OFFICER TORRES,** *Defendants.*	**Case No.: 07-CV-2353-L-BLM** **JOINT SCHEDULING REPORT PURSUANT TO FED.R.CIV.P. 26 [PROPOSED]** ***Jury Trial Requested by Plaintiff*** **CASE MANAGEMENT CONFERENCE** **DATE: JUNE 30, 2008** **TIME: 9:00 A.M. (TELEPHONIC)** **HON. BARBARA L. MAJOR**

Pursuant to Federal Rule of Civil Procedure 26(f), and the order of this United States District Court for the Southern District of California, plaintiff LUIS GAYTAN (hereinafter "plaintiff"), by and through his attorney of record, and defendants CITY OF BRAWLEY and OFFICER TORRES (hereinafter "defendants"), by and through their attorneys of record, submit the following Joint Proposed Discovery Plan pursuant to Fed. R. Civ. P. 26(f).

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, the undersigned met and conferred on June 13, 2008, and respectfully submit this Joint Scheduling Report with proposed deadlines for the above-entitled action.

1. Initial Disclosures:

The parties will exchange initial disclosures pursuant to Rule 26(a)(1)(A-D) on or before June 27, 2008, pursuant to the Order of the Court.

2. Adding Parties:

The deadline for adding new parties shall be October 27, 2008.

3. Amended Pleadings:

The deadline for filing amended pleadings shall be October 27, 2008.

4. Expert Witnesses:

In accordance with Fed. R. Civ. P. 26(a)(2)(A) and (B), the deadlines for disclosure of expert witnesses who may be used at trial to present evidence under Federal Rules of Evidence 702, 703, or 705 are as follows:

Plaintiff's experts:	November 24, 2008;
Defendant's experts:	December 22, 2008; and
Plaintiff's rebuttal experts:	January 5, 2009.

5. Written Discovery:

All written discovery shall be completed by November 24, 2008.

6. Depositions:

All depositions shall be completed by January 26, 2009.

7. Pre-Trial Motion Cutoff:

The deadline for filing pre-trial motions shall be February 23, 2009.

8. Trial Ready Date:

The parties anticipate the case will be ready for trial on June 29, 2009, and will be available for the Pre-Trial Conference 14 days before that date

9. Jury Demand:

A jury demand has been made by both plaintiff and defendants.

10. Estimated Length of Trial:

The parties estimate the length of trial to be 5 days with a jury.

11. Settlement Conference:

The parties request that the Court set a court-sponsored settlement conference prior to the trial date.

12. Additional Matters:

(a) Changes in the timing, form, or requirement for disclosures under Rule 26(a), including a statement of when initial disclosures were made or will be made:

The parties are not aware of any such changes needed at this time, and make no such requests.

(b) Subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues:

The parties are aware of no other discovery issues than those addressed above.

(c) Issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced:

The only electronically stored information that plaintiff is aware of at this time is the initial call to the police that led to the arrest that is the subject of this action, as well as possibly other calls to or from the police, recorded electronic transmissions and records, and recorded witness statements related to the subject incident. Plaintiff hereby requests that defendants preserve all electronically stored information that is related in any manner to the subject of this action so that it can be produced in response to discovery requests at the appropriate time, and at trial. Plaintiff also requests that copies of all such electronically be produced in response to discovery requests and at trial in the same manner and form as kept by defendants in the usual course of business.

(d) Issues about claims of privilege or of protection as trial-preparation materials:

The parties are not aware of any such claims at this time, and make no such claims. However, the parties reserve the right to make such requests as litigation proceeds, if warranted.

(e) Changes in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed:

The parties request that no limitations be imposed on discovery other than those set by the Federal Rules of Civil Procedure and the Civil Local Rules of this District.

(f) Any other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c):

The parties are not aware of any such orders required at this time, and make no such requests.

HEWELL LAW FIRM, APC

DATED: June 13, 2008.

Harold M. Hewell
Attorney for Plaintiff Luis Gaytan

GIBBS & FUERST, LLP

DATED: 6/20, 2008.

/s/ Steven A. Tisi
Michael T. Gibbs
Steven A. Tisi
Attorneys For Defendants City of Brawley and Officer Torres